

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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ATOYA ALEXANDER,
Plaintiff,

ORDER

- against -

CV 2011-4638 (NG)(MDG)

THE NEW YORK CITY POLICE DEPARTMENT,
et al.,

Defendants.

- - - - - X

Cronin & Byczek, LLP has moved to withdraw as counsel for plaintiff Atoya Alexander. See ct docs. 34, 37. Plaintiff appeared for a hearing on the motion held on October 29, 2013 and does not oppose the motion. Nor do defendants oppose the motion.

Linda Cronin of Cronin & Byczek, LLP states in her moving affidavit that plaintiff and her counsel have irreconcilable differences and that plaintiff refuses to follow counsel's legal advice. See Affirmation of Linda Cronin (ct. doc. 36) at ¶¶ 2, 10. At the hearing, plaintiff confirmed that she would not follow her counsel's advice and has lost her trust in counsel.

This Court finds that Cronin & Byczek, LLP has presented "satisfactory reasons" for counsel's withdrawal. See Local Civil Rule 1.4.

Therefore, it is hereby

ORDERED that the motion of Cronin & Byczek, LLP to withdraw as counsel for plaintiff is granted; and it is further

ORDERED, that withdrawing counsel, who has advised the Court

that it is asserting no retaining lien against the client files, and has already transmitted said files to plaintiff, will transmit any further materials to plaintiff or her new counsel upon request, subject to payment of the reasonable costs of reproduction; and it is further

ORDERED that this action is stayed, including the filing of plaintiff's opposition to defendants' motion for summary judgment, until January 6, 2013 to give plaintiff an opportunity to obtain new counsel; and it is further

ORDERED that until such time as new counsel for plaintiff enters a notice of appearance, service of papers by mail upon her shall be deemed sufficient service; and it is further

ORDERED that a status conference will be held on **January 7, 2013 at 10:00 a.m.**¹ and a new deadline for plaintiff to serve her opposition to defendants' summary judgment motion and for defendants' reply will be set at that time; and it is further

ORDERED that withdrawing counsel must send a copy of this order and any outstanding discovery requests to plaintiff by regular mail.

Warnings to Plaintiff

The plaintiff is advised that she is required to appear, in person or through counsel, at any scheduled conferences set by the Court. The plaintiff is warned that failure to appear at a

¹ At the hearing, this Court set an earlier date which is superceded by the January 7th date.

conference or to comply with court orders could result in sanctions, including a fine. Continued failure to comply could ultimately result in dismissal for failure to prosecute.

Plaintiff is further advised that if she fails to obtain new counsel, she will be expected to proceed in this action by herself. If she proceeds without counsel, she is advised that every communication sent to the Court must also be sent to the opposing party or counsel. Any document received by a district judge or magistrate judge which fails to indicate that a copy has been sent to the attorney for defendants may be disregarded by the Court.

SO ORDERED.

Dated: Brooklyn, New York
October 29, 2013

/s/
MARILYN D. GO
UNITED STATES MAGISTRATE JUDGE